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8
9 **BEFORE THE ARIZONA STATE BOARD OF PHARMACY**

10
11 In the Matter of

12 **Brianna Williams,**

13 Holder of License No. T026749
As a Pharmacy Technician
14 In the State of Arizona

Board Case No. 13-0011-PHR

**CONSENT AGREEMENT
FOR CONTINUING EDUCATION**

15
16 In the interest of a prompt and judicious settlement of this case, consistent with the
17 public interest, statutory requirements and the responsibilities of the Arizona State Board
18 of Pharmacy ("Board") under A.R.S. § 32-1901, *et. seq.*, Brianna Williams
19 ("Respondent"), holder of Pharmacy Technician License Number T026749 in the State of
20 Arizona, and the Board enter into the following Recitals, Findings of Fact, Conclusions
21 of Law and Order ("Consent Agreement") as a final disposition of this matter.

22 **RECITALS**

23 1. Respondent has read and understands this Consent Agreement and has had
24 the opportunity to discuss this Consent Agreement with an attorney, or has waived the
25 opportunity to discuss this Consent Agreement with an attorney.
26

1 2. Respondent understands that she has a right to a public administrative
2 hearing concerning this matter at which hearing she could present evidence and cross
3 examine witnesses. By entering into this Consent Agreement, Respondent knowingly
4 and voluntarily relinquishes all right to such an administrative hearing, as well as rights
5 of rehearing, review, reconsideration, appeal, judicial review or any other administrative
6 and/or judicial action, concerning the matters set forth herein.

7 3. Respondent affirmatively agrees that this Consent Agreement shall be
8 irrevocable.

9 4. Respondent understands that this Consent Agreement or any part of the
10 agreement may be considered in any future disciplinary action by the Board against her.

11 5. Respondent understands this Consent Agreement deals with Board
12 complaint number 4160 involving allegations of unprofessional conduct against
13 Respondent. The investigation into these allegations against Respondent shall be
14 concluded upon the Board's adoption of this Consent Agreement.

15 6. Respondent understands that this Consent Agreement does not constitute a
16 dismissal or resolution of any other matters currently pending before the Board, if any,
17 and does not constitute any waiver, express or implied, of the Board's statutory authority
18 or jurisdiction regarding any other pending or future investigation, action or proceeding.

19 7. Respondent also understands that acceptance of this Consent Agreement
20 does not preclude any other agency, subdivision, or officer of this State from instituting
21 any other civil or criminal proceedings with respect to the conduct that is the subject of
22 this Consent Agreement.

23 8. Respondent acknowledges and agrees that, upon signing this Consent
24 Agreement and returning this document to the Board's Executive Director, she may not
25 revoke her acceptance of the Consent Agreement or make any modifications to the
26

1 document regardless of whether the Consent Agreement has been signed by the
2 Executive Director. Any modification to this original document is ineffective and void
3 unless mutually agreed by the parties in writing.

4 9. This Consent Agreement is subject to the approval of the Board and is
5 effective only when accepted by the Board and signed by the Executive Director. In the
6 event that the Board does not approve this Consent Agreement, it is withdrawn and shall
7 be of no evidentiary value and shall not be relied upon nor introduced in any action by
8 any party, except that the parties agree that should the Board reject this Consent
9 Agreement and this case proceeds to hearing, Respondent shall assert no claim that the
10 Board was prejudiced by its review and discussion of this document or any records
11 relating thereto.

12 10. If a court of competent jurisdiction rules that any part of this Consent
13 Agreement is void or otherwise unenforceable, the remainder of the Consent Agreement
14 shall remain in full force and effect.

15 11. Respondent understands that this Consent Agreement is a public record that
16 may be publicly disseminated as a formal action of the Board and may be reported as
17 required by law to the National Practitioner Data Bank and the Healthcare Integrity and
18 Protection Data Bank.

19 12. Respondent understands that any violation of this Consent Agreement
20 constitutes unprofessional conduct and may result in disciplinary action. A.R.S. §§ 32-
21 1901.01(C) (16), -1927.01(A) (1).

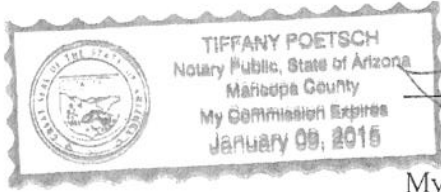
22 13. Respondent agrees that the Board will adopt the following Findings of Fact,
23 Conclusions of Law and Order.
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1 ACCEPTED AND AGREED BY RESPONDENT

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3 Brianna Williams
Brianna Williams

Dated: 4/17/2013

4 Subscribed and sworn to before me in the County of Maricopa, State of Arizona,
5 this 17 day of April, 2013, by Brianna Williams.



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Tiffany Poetsch
NOTARY PUBLIC
My Commission expires: Jan 09 2015

FINDINGS OF FACT

1. The Board is the duly constituted authority for licensing and regulating the practice of pharmacy in the State of Arizona.
2. Respondent is the holder of license number T026749 to practice as a pharmacy technician in the State of Arizona.
3. During all relevant times to these findings, Respondent worked as a pharmacy technician at Safeway Pharmacy # 1515 (the "Pharmacy") located at 810 E. Glendale Avenue, Phoenix, Arizona.
4. On or about November 29, 2012, a 6 month old patient had a prescription for Cephalexin 250 mg/5ml liquid incorrectly filled with Cefdinir 250mg/ml at the Pharmacy. Respondent incorrectly entered the prescription for Cefdinir 250 mg/5ml. rather than Cephalexin 250 mg/5ml as written on the prescription. A high dose alert was reviewed and overridden by the pharmacist on duty. When the patient's mother picked up the medication she was counseled that the medication was to be taken 2.5 ml orally

1 three times a day for ten (10) days and to refrigerate the medication. When the
2 medication was picked up the dispensing pharmacist did not recognize the error during
3 counseling or verification.

4 CONCLUSIONS OF LAW

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6 1. The Board possesses jurisdiction over the subject matter and over
7 Respondent pursuant to A.R.S. § 32-1901 *et seq.*

8 2. The Board may discipline a pharmacy technician who has engaged in
9 unprofessional conduct. A.R.S. § 32-1927.01(A) (1).

10 3. The conduct and circumstances described above constitutes unprofessional
11 conduct pursuant to A.R.S. § 32-1901.01(C) (2) (Violating a federal or state law or
12 administrative rule relating to the manufacture or distribution of drugs or devices).

13 ORDER

14 Based upon the above Findings of Fact and Conclusions of Law, IT IS HEREBY
15 ORDERED THAT Respondent shall:

16 1. Successfully complete and provide proof of successful completion to the
17 Board of eight (8) contact hours (0.8 C.E.U.) of American Council on Pharmaceutical
18 Education course(s) on the topic of patient safety. The required course(s) must be
19 completed within **90 days** of the effective date of this Order, must be pre-approved by
20 Board staff, and shall be in addition to the requirements of A.R.S. § 32-1936 and A.A.C.
21 R4-23-204.

22 2. Respondent shall pay all costs associated with complying with this Consent
23 Agreement.

24 3. If Respondent violates this Order in any way or fails to fulfill the
25 requirements of this Order, the Board, after giving the Respondent notice and the
26 opportunity to be heard, may revoke, suspend or take other disciplinary actions against

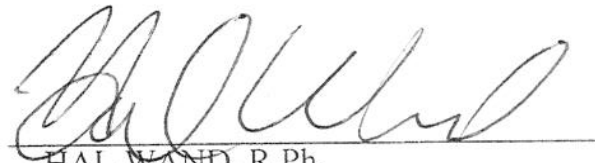
Respondent's license. The issue at such a hearing will be limited solely to whether this Order has been violated.

DATED this 9 day of May, 2013.

ARIZONA STATE BOARD OF PHARMACY

(Seal)

By:


HAL WAND, R.Ph.
Executive Director

ORIGINAL OF THE FORGOING FILED
this 10 day of May, 2013, with:

Arizona State Board of Pharmacy
1616 W. Adams Street
Phoenix, Arizona 85007

COPY OF THE FOREGOING MAILED
BY CERTIFIED MAIL
this 10 day of May, 2013, to:

Brianna Williams
625 W. Westcott Dr.
Phoenix, Arizona 85027
Respondent

COPY OF THE FOREGOING MAILED
this 10 day of may, 2013, to:

Montgomery Lee
Assistant Attorney General
1275 W. Washington Street, CIV/LES
Phoenix, Arizona 85007
Attorney for the Board

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